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PATENT  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

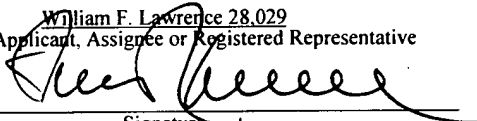
Applicant(s) : Pasternak et al.  
Serial No. : 09/975,812  
For : TOPICAL ANESTHETIC/OPIOID  
FORMULATIONS AND USES THEREOF  
Filed : October 11, 2001  
Examiner : M. Bahar  
Art Unit : 1617

745 Fifth Avenue.  
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 10, 2002.

**COPY OF PAPERS  
ORIGINALLY FILED**

William F. Lawrence 28.029  
Name of Applicant, Assignee or Registered Representative

  
Signature

Date of Signature

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the December 10, 2001 Office Action, requiring election between Groups I and II. Group I, drawn to a method of providing topical analgesia employing two agents and including claims 11-26, is elected with traverse. The elected species of anesthetic is lidocaine and the elected species of analgesic is morphine. The election of species is also traversed, and made with the understanding that the generic claims will be searched once the species is otherwise determined to be patentable.

**REMARKS**

Applicants respectfully request reconsideration and withdraw of the restriction requirement. Groups I and II share common elements and therefore common modes of operation (e.g., a topical method of producing an antinociceptive response using at least one opioid